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9	Attorneys for Defendant BARRY BONDS		
10			
11	UNITED STATES DISTRICT COURT		
12	NORTHERN DISTRICT OF CALIFORNIA		
13	SAN FRANCSICO DIVISION		
14			
15	UNITED S	STATES OF AMERICA,	) Case No.: CR 07-0732 SI
16		Plaintiffs,	<ul><li>DECLARATION OF ALLEN RUBY</li><li>CONCERNING INQUIRY INTO</li></ul>
17	VS.		) POTENTIAL CONFLICT OF INTEREST
18	BARRY LAMAR BONDS,		
19		Defendants	
20			_ /
21	I,	I, ALLEN RUBY, declare:	
22	1.	1. I am one of the attorneys of record for defendant Barry L. Bonds.	
23	2.	2. I make this declaration from my personal knowledge.	
24	3.	3. I previously represented Dr. Arthur Ting in connection with a subpoena served	
25	upon him in April, 2005. Since I returned Dr. Ting's file to him after my representation		
26	ended, I do not presently have a copy of the subpoena, but I believe that it called for him to		
27	produce certain medical records.		
28	4. According to my billing records, my representation of Dr. Ting began on		
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approximately April 22, 2005, and continued through May 23, 2005. My records show that I performed no additional services for Dr. Ting after May 23, 2005, until April 13, 2006, when another subpoena was served on him. I may have accepted service of the subpoena on his behalf, but I am not sure. Thereafter Dr. Ting was represented solely by his long-time attorney, Mr. Dan Alberti, of McDermott, Will & Emery. My billing records show that the last services I performed for Dr. Ting were on April 14, 2006 when I talked to Mr. Alberti and sent a letter to Dr. Ting, which I believe confirmed that I would not be representing him going forward.

- 5. Before I was retained by Mr. Bonds in the present case, I informed him that I had previously represented Dr. Ting. I also informed Mr. Bonds of his right to seek independent legal advice in connection with any conflict of interest issues.
- 6. It is my understanding that Mr. Bonds has received independent legal advice from Mr. Michael Rains concerning my prior representation of Dr. Ting.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 2nd day of January at San Jose, California.

**ALLEN RUBY** 

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